

# **EXHIBIT 58**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE: JOHNSON & JOHNSON )  
TALCUM POWDER PRODUCTS )  
MARKETING, SALES PRACTICES, ) MDL NO. 16-2738(MAS)(RLS)  
AND PRODUCTS LIABILITY )  
LITIGATION, )  
\_\_\_\_\_)

VIDEOCONFERENCE DEPOSITION  
OF  
DANIEL CLARKE-PEARSON, M.D. (VOLUME II)  
(Taken virtually by Defendants)  
Friday, March 8, 2024

Reported by: Christine A. Taylor, RPR


GOLKOW LITIGATION SERVICES  
877.370.3377 ph | 917.591.5672 fax  
deps@golkow.com

<p style="text-align: right;">Page 232</p> <p>1 REMOTE APPEARANCES:</p> <p>2</p> <p>3 Representing the Plaintiffs:</p> <p>4 BEASLEY ALLEN</p> <p>5 BY: LEIGH O'DELL, ESQ.</p> <p>6 LEANNE PITTARD, ESQ.</p> <p>7 218 Commerce Street</p> <p>8 Montgomery, Alabama 36104</p> <p>9 334.269.2343</p> <p>10 leigh.odell@beasleyallen.com</p> <p>11 and</p> <p>12 GOLOMB LEGAL</p> <p>13 BY: RICHARD GOLOMB, ESQ.</p> <p>14 1835 Market Street, Suite 2900</p> <p>15 Philadelphia, Pennsylvania 19103</p> <p>16 215.278.4449</p> <p>17 rgolomb@golomblegal.com</p> <p>18</p> <p>19 Representing the Defendants Johnson &amp; Johnson and</p> <p>20 Johnson &amp; Johnson Consumer Inc.:</p> <p>21 SKADDEN ARPS SLATE MEAGHER &amp; FLOM, LLP</p> <p>22 BY: JESSICA DAVIDSON, ESQ.</p> <p>23 ASHER TRANGLE, ESQ.</p> <p>24 One Manhattan West</p> <p>25 New York, New York 10001</p> <p>212.735.3000</p> <p>jessica.davidson@skadden.com</p> <p>asher.trangle@skadden.com</p>	<p style="text-align: right;">Page 234</p> <p>1 Exhibit 26 3/22/2015 Holy Cross Health record, 311</p> <p>2 Bates NewsomeT-HCHMR-00277 - 278</p> <p>3 Exhibit 27 Obesity and risk of ovarian cancer 316</p> <p>4 subtypes: Evidence from the Ovarian</p> <p>5 Cancer Association Consortium</p> <p>6 Exhibit 28 Perineal Talc Use and Ovarian 332</p> <p>7 Cancer, A Systematic Review and</p> <p>8 Meta-Analysis</p> <p>9 Exhibit 29 Pasqualina Rausa Report 338</p> <p>10 Exhibit 30 Genital powder use and risk of 348</p> <p>11 epithelial ovarian cancer in the</p> <p>12 Ovarian Cancer in Women of African</p> <p>13 Ancestry Consortium</p> <p>14 Exhibit 31 Use of personal care product 354</p> <p>15 mixtures and incident</p> <p>16 hormone-sensitive cancers in the</p> <p>17 Sister Study: A U.S.-wide</p> <p>18 prospective cohort</p> <p>19 Exhibit 32 Chang 2024 Supplemental Data 360</p> <p>20 spreadsheet</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 233</p> <p>1 C O N T E N T S</p> <p>2 PAGE</p> <p>3 EXAMINATION CONTINUED BY MS. DAVIDSON 235</p> <p>4 EXAMINATION BY MS. O'DELL 365</p> <p>5 FURTHER EXAMINATION BY MS. DAVIDSON 378</p> <p>6 FURTHER EXAMINATION BY MS. O'DELL 388</p> <p>7 FURTHER EXAMINATION BY MS. DAVIDSON 389</p> <p>8</p> <p>9</p> <p>10 * * *</p> <p>11</p> <p>12 E X H I B I T S</p> <p>13 EXHIBIT DESCRIPTION PAGE</p> <p>14 Exhibit 19 2/22/2024 E-mails, Subject: RE: 242</p> <p>15 Ovarian Cancer and Talcum powder</p> <p>16 Exhibit 20 American Cancer Society Cancer Facts 247</p> <p>17 &amp; Figures 2024</p> <p>18 Exhibit 21 Materials Considered list 258</p> <p>19 Exhibit 22 8/27/21 Deposition Transcript of 276</p> <p>20 Daniel L. Clarke-Pearson, M.D.,</p> <p>21 Volume 2</p> <p>22 Exhibit 23 Hilary Converse Report 292</p> <p>23 Exhibit 24 7/12/2021 Letter to David Dearing 299</p> <p>24 from Dr. Godleski</p> <p>25 Exhibit 25 Tamara Newsome Report 304</p>	<p style="text-align: right;">Page 235</p> <p>1 On March 8, 2024, commencing at 9:21 a.m.,</p> <p>2 the videoconference deposition of</p> <p>3 DANIEL CLARKE-PEARSON, M.D., was taken pursuant to</p> <p>4 notice and pursuant to the Federal Rules of Civil</p> <p>5 Procedure, on behalf of the Defendants, remotely</p> <p>6 via Zoom.</p> <p>7 - - -</p> <p>8 P R O C E E D I N G S</p> <p>9 - - -</p> <p>10 DANIEL CLARKE-PEARSON, M.D.,</p> <p>11 having first been duly sworn, was examined</p> <p>12 and testified as follows:</p> <p>13 - - -</p> <p>14 EXAMINATION CONTINUED</p> <p>15 BY MS. DAVIDSON:</p> <p>16 Q. Good morning, Dr. Clarke-Pearson. As</p> <p>17 you know, we're continuing your January 20, 2024,</p> <p>18 deposition in In Re: Johnson &amp; Johnson Talcum</p> <p>19 Powder Products.</p> <p>20 Did you bring any materials with you</p> <p>21 today?</p> <p>22 A. Yes. I brought some journal articles</p> <p>23 that I thought might be useful to discuss.</p> <p>24 Q. Are any of those articles not included</p> <p>25 on your reliance list or materials considered list?</p>

<p style="text-align: right;">Page 248</p> <p>1 MS. DAVIDSON: If it doesn't go in the  2 chat, yeah, it doesn't go to Richard.  3 MR. GOLOMB: It doesn't go to Richard?  4 MS. DAVIDSON: No. I said if it  5 doesn't go in the chat, you're not getting  6 it. That's a good point. That's what I'm  7 saying, I hadn't focused on that issue.  8 MR. GOLOMB: Okay. Thank you.  9 MR. TRANGLE: So sorry, yeah, I just  10 sent it to Leigh, but I can send you the  11 link as well.  12 MR. GOLOMB: Do you have my e-mail  13 address?  14 MR. TRANGLE: No, I don't.  15 MR. GOLOMB: It's  16 RGolomb@GolombLegal.com. Thanks very much.  17 MR. TRANGLE: Leigh, the e-mail should  18 have already have been sent to you.  19 MS. O'DELL: I've just refreshed and  20 not yet, but --  21 MS. DAVIDSON: I got it.  22 MR. TRANGLE: Rich, I'm going to send  23 you both exhibits right now.  24 RGolomb@GolombLegal.com; right?  25 MR. GOLOMB: Yes.</p>	<p style="text-align: right;">Page 250</p> <p>1 in the latter half of the past century and  2 decreased menopausal hormonal therapy use during  3 the 2000s, both of which are associated with lower  4 risk."  5 Do you see that?  6 A. Yes.  7 Q. Are those statistics accurate to your  8 knowledge?  9 A. To my knowledge, I think they're  10 reasonable. I'm not sure I have references that  11 I've read that -- specifically in the general  12 concept. So I think they're reasonable.  13 Q. Are you surprised to see ovarian cancer  14 rates dropping so significantly?  15 MS. O'DELL: Object to the form.  16 THE WITNESS: 1 to 2 percent is not so  17 significantly, but it is a decline.  18 BY MS. DAVIDSON:  19 Q. 3 percent per year is pretty  20 significant; right?  21 MS. O'DELL: Object to the form.  22 THE WITNESS: Yes, I mean, we're happy  23 with that trend.  24 BY MS. DAVIDSON:  25 Q. And the decrease in ovarian cancer of</p>
<p style="text-align: right;">Page 249</p> <p>1 MS. O'DELL: Nothing yet.  2 MS. DAVIDSON: I don't understand --  3 can we go off the record for a second.  4 (Recess taken from 9:54 a.m. until 10:00 a.m.)  5 BY MS. DAVIDSON:  6 Q. Dr. Clarke-Pearson, have you seen this  7 document before?  8 A. No. I don't think I've seen this  9 document.  10 Q. Were you aware that the American Cancer  11 Society puts out cancer facts and figures?  12 A. Yes.  13 Q. If you look at page -- do you consider  14 the American Cancer Society to be an accurate  15 source of information about cancer?  16 MS. O'DELL: Objection.  17 THE WITNESS: It usually has good  18 information.  19 BY MS. DAVIDSON:  20 Q. If you look at page 22 under "Incidence  21 trends," it says, "The ovarian cancer incidence  22 rate declined by 1 to 2 percent per year from 1990  23 to the mid 2010s and by almost 3 percent per year  24 from 2015 to 2019. This trend is likely due at  25 least in part to increased oral contraceptive use</p>	<p style="text-align: right;">Page 251</p> <p>1 3 percent per year occurred while talcum powder was  2 still on the US market; right?  3 A. Yes.  4 Q. And if you turn to page 23, "risk  5 factors" for ovarian cancer, the American Cancer  6 Society says, "The most important risk factor other  7 than age is a family history of breast or ovarian  8 cancer."  9 Do you agree with that statement?  10 A. It's an important risk factor for women  11 who have BRCA mutations. I'm not sure it's the  12 most important risk factor. There's lots of risk  13 factors. Most women with a BRCA mutation don't  14 have ovarian cancer. It's important for the women  15 that have BRCA mutations. It's not important for  16 anybody else.  17 Q. Did you say most women with a BRCA  18 mutation won't get ovarian cancer?  19 A. That's correct.  20 Q. What percentage of women with a BRCA1  21 mutation will get ovarian cancer?  22 A. Approximately 30 percent.  23 Q. What percentage of women with a BRCA2  24 mutation will get ovarian cancer?  25 A. It's less than that. I don't know the</p>

<p style="text-align: right;">Page 340</p> <p>1 cancer -- scratch that.</p> <p>2 Is there any literature that addresses</p> <p>3 the potential association between genital talc use</p> <p>4 and ovarian cancer for women who had their tubes</p> <p>5 tied three decades before their diagnosis?</p> <p>6 MS. O'DELL: Object to form.</p> <p>7 THE WITNESS: I'm not aware of any</p> <p>8 literature that specifically looks at that</p> <p>9 issue.</p> <p>10 BY MS. DAVIDSON:</p> <p>11 Q. Is there any literature addressing a</p> <p>12 potential association between talc use and ovarian</p> <p>13 cancer for women whose talc use ended three decades</p> <p>14 before their diagnosis?</p> <p>15 MS. O'DELL: Object to the form.</p> <p>16 THE WITNESS: Not that I'm aware of.</p> <p>17 BY MS. DAVIDSON:</p> <p>18 Q. Is it your opinion that asbestos is a</p> <p>19 cause of Ms. Rausa's ovarian cancer?</p> <p>20 A. It's my opinion that talcum powder</p> <p>21 increased -- was causative in her developing</p> <p>22 ovarian cancer and that talcum powder has asbestos</p> <p>23 in it. So yes.</p> <p>24 Q. Is that your opinion with respect to</p> <p>25 fibrous talc as well?</p>	<p style="text-align: right;">Page 342</p> <p>1 question, and now I'm just asking what</p> <p>2 literature supports that opinion.</p> <p>3 MS. O'DELL: He's already testified to</p> <p>4 the literature on latency. It's in his</p> <p>5 report.</p> <p>6 MS. DAVIDSON: We have not had a</p> <p>7 30-year latency period before, Leigh. We</p> <p>8 are talking about a plaintiff who had a</p> <p>9 tubal ligation 30 years ago. I just don't</p> <p>10 want to get into these arguments over and</p> <p>11 over. You know what, this is an expert</p> <p>12 who's testifying at trial. If you didn't</p> <p>13 want him to testify, find another expert.</p> <p>14 BY MS. DAVIDSON:</p> <p>15 Q. Doctor, is there any literature --</p> <p>16 MS. O'DELL: Hey, Jessica --</p> <p>17 BY MS. DAVIDSON:</p> <p>18 Q. -- to support --</p> <p>19 MS. O'DELL: Forgive me. Let me just</p> <p>20 respond to the objection. So let me --</p> <p>21 MS. DAVIDSON: Okay. Sure.</p> <p>22 MS. O'DELL: Your pejorative comments</p> <p>23 are, one, disrespectful to</p> <p>24 Dr. Clarke-Pearson and the process. Second,</p> <p>25 he has testified to latency in the past and</p>
<p style="text-align: right;">Page 341</p> <p>1 A. Yes.</p> <p>2 Q. Do you believe that ovarian cancer has</p> <p>3 a latency period of more than 30 years?</p> <p>4 MS. O'DELL: Jessica, he's testified to</p> <p>5 this in 2019. I can check the 2021</p> <p>6 depositions. But he's testified at length</p> <p>7 about latency. I believe it's in his report</p> <p>8 as well for which he was deposed. So this</p> <p>9 is --</p> <p>10 MS. DAVIDSON: I've got one question on</p> <p>11 this topic, Leigh. Then we can move on.</p> <p>12 BY MS. DAVIDSON:</p> <p>13 Q. Dr. Clarke-Pearson, do you believe that</p> <p>14 ovarian cancer has a latency period of more than</p> <p>15 30 years?</p> <p>16 A. It can have a latency period. It can</p> <p>17 have a shorter period than 30 years too.</p> <p>18 Q. Can it have a latency period of more</p> <p>19 than 30 years?</p> <p>20 A. Yes.</p> <p>21 Q. And what literature can I -- can you</p> <p>22 point to to support that opinion?</p> <p>23 MS. O'DELL: He's -- you said one</p> <p>24 question. You had three questions.</p> <p>25 MS. DAVIDSON: No. I repeated the</p>	<p style="text-align: right;">Page 343</p> <p>1 including what he said here previously</p> <p>2 today. And so, I mean, I just -- we</p> <p>3 wouldn't have to have these discussions if</p> <p>4 you would stay within the confines of the</p> <p>5 rules. And so he's already testified to</p> <p>6 latency. You've got his opinion --</p> <p>7 MS. DAVIDSON: Your expert changed his</p> <p>8 opinion in the middle of the deposition,</p> <p>9 Leigh.</p> <p>10 MS. O'DELL: He did not.</p> <p>11 MS. DAVIDSON: I don't know how you can</p> <p>12 make these sanctimonious with an expert who</p> <p>13 purportedly went to the bathroom and changed</p> <p>14 his opinions.</p> <p>15 MS. O'DELL: He did not change his</p> <p>16 opinion. So -- which is clear from the</p> <p>17 record.</p> <p>18 So if you have a question about</p> <p>19 Ms. Rausa that relates to new information</p> <p>20 since 2021, Dr. Clarke-Pearson is here and</p> <p>21 ready to answer your questions.</p> <p>22 He is not here to go through all of his</p> <p>23 previous 25 hours of deposition testimony.</p> <p>24 That's not what we're here for.</p> <p>25 MS. DAVIDSON: Are you done?</p>

<p style="text-align: right;">Page 380</p> <p>1 A. Yeah, I -- I didn't read the thing 2 thoroughly. I don't think I read anything about a 3 latency period in that -- in that study. 4 Q. Okay. You may -- 5 A. I'm sorry. I did mention, yes, that 6 the -- that the period of that study was asking the 7 question, as I recall, of just a year prior to 8 starting the study. Did you use a personal care 9 product of some sort within the last year, which my 10 comment then was that doesn't allow much of a 11 latency period. In fact, it's not a latency period 12 for just one year. So we really didn't allow those 13 women to have enough time whether they were 14 actually going to develop cancer from those 15 personal care products. 16 Q. But, in fact, it followed women for 17 much more than 12 months, you know that; right? 18 A. I don't -- I don't know that paper that 19 well. What I saw was 12 months. 20 Q. Okay. If we can pull up the paper, I 21 can show you that, in fact -- so, Leigh, you shook 22 your head, but he did testify to that. So maybe 23 you owe me an apology. 24 MS. O'DELL: No, I think the question I 25 asked was about the --</p>	<p style="text-align: right;">Page 382</p> <p>1 Table S8. You mentioned Table S8, and I thought we 2 should put it up. 3 You were talking about how table S8 -- 4 I think what your point was that if you took all 5 the hygiene products together, it showed an 6 increased risk. Is that what you were trying to 7 say? 8 A. That's what it shows, yes. 9 Q. That was driven by the increase for 10 douching; right? 11 A. I'm not sure whether driven is the 12 right word. But douching certainly weighed in to 13 contribute to that. 14 Again, I'm sorry -- if I can just 15 finish. I'm sorry I don't know this study because 16 I just saw it within the last hour. And when I saw 17 S8, it talked about hygiene. And I know talcum 18 powder fell into that category. 19 Q. But douching had a much higher hazard 20 ratio than anything else. So douching primarily 21 drove that risk ratio and the authors say as much 22 in their study; right? 23 MS. O'DELL: Object to form. 24 THE WITNESS: I don't know what the 25 authors said in the study. I didn't have</p>
<p style="text-align: right;">Page 381</p> <p>1 MS. DAVIDSON: It wasn't your question. 2 It was his testimony, Leigh. And he just 3 said very nicely and honestly that is what 4 he testified to. 5 Asher, can you pull up the paper so we 6 can show Dr. Clarke-Pearson and clarify the 7 record as to what the latency period 8 actually was. 9 MS. O'DELL: I think you asked me if I 10 asked about latency and I just said I 11 didn't. 12 MS. DAVIDSON: That was not my 13 question, Leigh, if you'd listen to the 14 question carefully. Asher, anyway, can you 15 just pull it up. 16 MR. TRANGLE: Yeah, isn't it being 17 shared? 18 MS. DAVIDSON: Oh, sorry. You need to 19 make it bigger, Asher. Okay. 20 BY MS. DAVIDSON: 21 Q. How many years of follow-up was there, 22 Doctor? 23 A. Right there in the results it says 24 after 11.6 years of follow-up. 25 Q. Okay. Thank you. If we could go to</p>	<p style="text-align: right;">Page 383</p> <p>1 time to read it. 2 BY MS. DAVIDSON: 3 Q. Okay. Do you have any reason to 4 believe that it was not douching that drove this 5 hazard ratio? 6 A. I would put it another way and say from 7 what you showed on the other table, douching 8 contributed significantly to the overall hazard 9 ratio in this table. 10 Q. Can we look at the Davis paper. You 11 testified multiple times that Davis did not look at 12 frequency and duration. I think that was a 13 misstatement on your part. 14 If we could pull up Davis. 15 MS. O'DELL: Object to the form. 16 Misstates his testimony. 17 MS. DAVIDSON: Asher, putting it up? 18 MR. TRANGLE: Yes, one second. 19 BY MS. DAVIDSON: 20 Q. Both you and Ms. O'Dell pointed to a 21 sentence in Davis -- if you could yellow it, Asher, 22 that would be great -- that talks about that says 23 did not examine associations by frequency or 24 duration. But that sentence is talking about a 25 different paper, not this paper; right?</p>

<p style="text-align: center;">Page 392</p> <p style="text-align: center;">1 CERTIFICATE OF REPORTER</p> <p style="text-align: center;">2</p> <p>3 I, Christine A. Taylor, Registered</p> <p>4 Professional Reporter and Notary Public for the</p> <p>5 State of North Carolina at Large, do hereby</p> <p>6 certify:</p> <p>7 That the foregoing deposition was taken</p> <p>8 before me on the date and at the time and location</p> <p>9 as stated in this transcript; that the deponent was</p> <p>10 located in Orange County, North Carolina; that the</p> <p>11 deponent was duly sworn to testify to the truth,</p> <p>12 the whole truth and nothing but the truth; that the</p> <p>13 testimony of the deponent and all objections made</p> <p>14 at the time of the examination were recorded</p> <p>15 stenographically by me and were thereafter</p> <p>16 transcribed; that the foregoing deposition as typed</p> <p>17 is a true, accurate and complete record of the</p> <p>18 testimony of the deponent and of all objections</p> <p>19 made at the time of the examination to the best of</p> <p>20 my ability.</p> <p>21</p> <p>22 I further certify that I am neither related</p> <p>23 to nor counsel for any party to the cause pending</p> <p>24 or interested in the events thereof. Witness my</p> <p>25 hand, this 11th of March, 2024.</p> <p style="text-align: center;"></p> <p>Christine A. Taylor, Registered Professional Reporter Notary Public 19960530077 State of North Carolina</p>	<p style="text-align: center;">Page 394</p> <p style="text-align: center;">1 DEPOSITION ERRATA SHEET</p> <p style="text-align: center;">2</p> <p>3 Page No. _____ Line No. _____ Change to: _____</p> <p>4 _____</p> <p>5 Reason for Change: _____</p> <p>6 Page No. _____ Line No. _____ Change to: _____</p> <p>7 _____</p> <p>8 Reason for Change: _____</p> <p>9 Page No. _____ Line No. _____ Change to: _____</p> <p>10 _____</p> <p>11 Reason for Change: _____</p> <p>12 Page No. _____ Line No. _____ Change to: _____</p> <p>13 _____</p> <p>14 Reason for Change: _____</p> <p>15 Page No. _____ Line No. _____ Change to: _____</p> <p>16 _____</p> <p>17 Reason for Change: _____</p> <p>18 Page No. _____ Line No. _____ Change to: _____</p> <p>19 _____</p> <p>20 Reason for Change: _____</p> <p>21</p> <p>22 SIGNATURE: _____ DATE: _____</p> <p>23 DANIEL CLARKE-PEARSON, M.D.</p> <p>24</p> <p>25</p>
<p style="text-align: center;">Page 393</p> <p style="text-align: center;">1 DEPOSITION ERRATA SHEET</p> <p style="text-align: center;">2</p> <p>3 Our Assignment No: 6453284</p> <p>4 Case Caption: Talcum Powder Litigation MDL 2738</p> <p>5</p> <p style="text-align: center;">6 DECLARATION UNDER PENALTY OF PERJURY</p> <p>7 I declare under penalty of perjury that I</p> <p>8 have read the entire transcript of my deposition</p> <p>9 taken in the captioned matter or the same has been</p> <p>10 read to me, and the same is true and accurate, save</p> <p>11 and except for changes and/or corrections, if any,</p> <p>12 as indicated by me on the DEPOSITION ERRATA SHEET</p> <p>13 hereof, with the understanding that I offer these</p> <p>14 changes as if still under oath.</p> <p>15 Signed on the _____ day of _____,</p> <p>16 20 ____.</p> <p>17</p> <p>18</p> <p>19</p> <p>20 _____</p> <p>21 DANIEL CLARKE-PEARSON, M.D.</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: center;">Page 395</p> <p style="text-align: center;">1 DEPOSITION ERRATA SHEET</p> <p style="text-align: center;">2</p> <p>3 Page No. _____ Line No. _____ Change to: _____</p> <p>4 _____</p> <p>5 Reason for Change: _____</p> <p>6 Page No. _____ Line No. _____ Change to: _____</p> <p>7 _____</p> <p>8 Reason for Change: _____</p> <p>9 Page No. _____ Line No. _____ Change to: _____</p> <p>10 _____</p> <p>11 Reason for Change: _____</p> <p>12 Page No. _____ Line No. _____ Change to: _____</p> <p>13 _____</p> <p>14 Reason for Change: _____</p> <p>15 Page No. _____ Line No. _____ Change to: _____</p> <p>16 _____</p> <p>17 Reason for Change: _____</p> <p>18 Page No. _____ Line No. _____ Change to: _____</p> <p>19 _____</p> <p>20 Reason for Change: _____</p> <p>21</p> <p>22</p> <p>23 SIGNATURE: _____ DATE: _____</p> <p>24 DANIEL CLARKE-PEARSON, M.D.</p> <p>25</p>